



City of Angels
Planning Department
571 Stanislaus St. #5C
Angels Camp, CA 95222
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VARIANCE
INSTRUCTIONS FOR APPLICANTS

Variance

A variance is a deviation from the requirements of the Zoning Ordinance. Variances may be permitted only under unique circumstances to avoid unnecessary hardships, practical difficulties, or results which are inconsistent with the purposes and intents of Title 17 of the Municipal Code, the City of Angels' Zoning Code. It may apply to such dimensional limitations as building setbacks, building height, and lot area. A variance may not be granted to allow a land use or activity not otherwise allowed under the provisions of the Municipal Code. A variance applies only to a specific location; it may be transferred to another owner, but not to another site. If a property owner desires a variance, he/she must obtain approval as described in Chapter 17.75, "Variances," of the City of Angels Municipal Code.

Required Findings

Applications shall be submitted to the City of Angels Planning Department. Following submittal, the application material will first be reviewed for completeness; it will then be circulated to applicable advisory agencies for comments. Adjoining property owners will also be notified and given an opportunity to comment.

After conducting an investigation of the proposal, the Planning Commission, at a public hearing, may grant a variance, pursuant to Section 17.75.030 of the City of Angels Municipal Code, if all of the following findings apply:

- A. Special characteristics are applicable to the property, including size, shape, topography, location or surroundings, so that the strict application of Title 17 deprives such property of privileges enjoyed to other property in the vicinity and under an identical zoning classification; and
- B. The variance is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and
- C. The variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property. (Ord. 323§47 (part), 1992)

If the applicant or any aggrieved party is dissatisfied with the decision of the Planning Commission, he/she may within fifteen (15) days appeal to the City Council. Any City Council member may also file with the City Clerk a request that the Variance be referred to the City Council for their review of the Planning Commission's action on the permit.

Expiration of Approval

If the project for which a Variance is granted is not begun within one year of the date of final approval, the Variance approval shall become null and void (Municipal Code Section 17.87.010). Two one-year extensions may be granted by the Planning Commission upon written request showing good cause, provided the Commission can make one of the following findings:

- A. That the extension is necessary to secure the needed approvals from other agencies;
- B. That the extension is necessary to comply with the conditions of the original approval of this title and other ordinances; or
- C. That the applicant has demonstrated a good faith attempt to start the use within the prescribed time. The Planning Commission, when reviewing the extension of time, may establish additional conditions as deemed necessary to carry out the intent of this title, other ordinances, and the general plan existing at the time of the extension. (Ord. 323 §51, 1992: Ord. 270 (part), 1984)

For more information on planning and development, including the City of Angels Zoning Ordinance, go to www.cityofangels.org, or call (209)736-1346.

VARIANCE

REQUIRED SUBMITTALS

1. **City of Angels Land Development Application**
2. **Fee** in the amount of: \$980.00 if no zoning violation exists
\$1,420.00 if due to zoning violation
3. **Statement in support of application:** Describe the project and address the facts and circumstances that would enable the Planning Commission to make all of the three findings necessary to grant the Variance. (See Page 1)
4. **Vicinity Map:** Show the nearest intersection and any landmarks; may be drawn at a small scale on the site plan.
5. **Site Plan:** The site plan shall include all of the following information:
 - A. North arrow and scale used.
 - B. Dimensions and area of property.
 - C. Existing and proposed grading, including topography (contour lines) and slope or grade of the land in percent (%).
 - D. Location of all water courses, seasonal drainages, rock outcroppings, major or unusual vegetation, or other natural features.
 - E. Legal access from public roads – include street names and, if known, widths of easements.
 - F. Location and dimensions of existing on-site improvements such as structures, driveways, parking areas, fences, orchards, mines, pastures, dams, ponds, etc.
 - G. Location and dimensions of all proposed improvements (distinguish between existing and proposed improvements on the site plan).
 - H. Locations of existing improvements on adjacent properties within 300' of the property line, including fire hydrants and wells, if known.
 - I. Location of all utilities and services including water, sewer, electricity, cable, phone, propane tanks, trash and recycling, etc.
 - J. Existing and proposed parking, clearly showing the size and number of all spaces and driveways
 - K. Landscaping and exterior lighting
6. **Floor Plans:** The floor plans shall indicate all existing and proposed uses.
7. **Building Elevations:** Elevation drawings shall be submitted and shall show the existing and proposed exterior of the building. Materials shall be identified.

The site plan shall be drawn at 1" = 10' or 1/8" = 1'. Plans and elevations shall be drawn at 1/8" = 1' or 1/4" = 1', unless otherwise approved by the Planning Department. All drawings shall be annotated to identify all existing and proposed conditions. For clarity, separate drawings showing existing conditions and proposed conditions may be submitted.

Submit two (2) full size copies of all plans plus one (1) reduced (11" x 17") copy.